

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

RICKY JOVAN GRAY,

Plaintiff,

$$V.$$

TERENCE RICHARD MCAULIFFE, Governor,  
Commonwealth of Virginia,

HAROLD W. CLARKE, Director,  
Virginia Department of Corrections,

EDDIE PEARSON, Warden,  
Greensville Correctional Center,

DAVID ZOOK, Warden,  
Sussex I State Prison.

OTHER UNKNOWN EXECUTIONERS,  
EMPLOYEES, AND AGENTS,  
Virginia Department of Corrections,

Defendants.

No. 16cv00982-HEH  
IMMINENT EXECUTION  
**SCHEDULED FOR  
JANUARY 18, 2017**

## NOTICE OF APPEAL

Notice is hereby given that Ricky Jovan Gray, the plaintiff in the above captioned case, appeals to the United States Court of Appeals for the Fourth Circuit from this Court's Order [Docket No. 32] and accompanying Memorandum Opinion [Docket No. 31], entered January 10, 2017, denying Mr. Gray's motion for preliminary injunction [Docket No. 13] and denying as moot Mr. Gray's motion for a temporary restraining order [Docket No. 12]. Both motions sought to stay Mr. Gray's execution, which is currently scheduled for January 18, 2017.

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Dated: January 11, 2017

Respectfully submitted,

HOGAN LOVELLS US LLP

By: /s/ Haley K. Costello Essig  
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**CERTIFICATE OF SERVICE**

I certify that on January 11, 2017, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notice of such filing to the following registered CM/ECF users:

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/s/ Haley K. Costello Essig  
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